

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nicanor A. Kohncke on 2/21/08.

The application has been amended as follows:

In claim 9, line 2 delete "a), b) and c)" and insert therefor --a) and b)--.

In claim 9, lines 3-4 delete "a), b) and c)" and insert therefor --a) and b)--.

The following is an examiner's statement of reasons for allowance: The Examiner accepts has his reasons for allowance the reasons given for patentability as set forth in the Remarks section of the amendment filed 1/28/08 with the RCE. The Examiner also holds that the Declaration Under 37 CFR 1.132 by Dr. Heinz Pudleiner, filed 1/28/08, does establish unexpected and superior results for applicant's claimed invention over that of the applied Hall et al. Patent. The Examiner is also rejoining the non-elected claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1796

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Joseph D. Anthony whose telephone number is (571) 272-1117. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (571) 272-1498. The centralized FAX machine number is (571) 273-8300. All other papers received by FAX will be treated as Official communications and cannot be immediately handled by the Examiner.

/Joseph D. Anthony/
Primary Examiner, Art Unit 1796
02/21/08